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DATE FILED: 9/13/2023

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MANUEL VASQUEZ MARTINEZ, individually and on  
behalf of all others similarly situated,

Civil Docket No.:  
22-cv-09860-NSR

Plaintiff,

-against-

JMD PRECISION TECH LLC and JESUS MANUEL  
DONES, as an individual,

Defendants.

**NOTICE OF MOTION  
TO ENTER DEFAULT  
JUDGMENT IN A SUM  
CERTAIN AS TO  
ALL DEFENDANTS**

PLEASE TAKE NOTICE, that upon the Affirmation of Roman Avshalumov, dated September 12, 2023, and supporting exhibits annexed thereto, and the accompanying Memorandum of Law, submitted in support of this motion, and upon all prior pleadings and proceedings heretofore had herein, the undersigned, on behalf of the Plaintiff, will move this Court before the Honorable Nelson Stephen Roman, United States District Judge, at the United States District Court for the Southern District of New York, located at 300 Quarropas St., White Plains, NY 10601, for an Order granting Plaintiff's Motion to Enter a Default Judgment against all Defendants, *In a Sum Certain*, pursuant to Federal Rule of Civil Procedure ("FRCP") Rule 55(a) as a result of their failure to appear in this matter, and for such other and further relief as this Court deems proper and just.

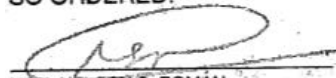
Dated: Kew Gardens, NY  
September 12, 2023

**In light of Plaintiff's subsequent filings at ECF Nos. 35 and 38 properly proceeding for default judgment by way of an Order to Show Cause, this motion for default judgment is DENIED as moot. The Clerk of Court is respectfully directed to terminate the motion at ECF No.30.**

**Dated: September 13, 2023**

**White Plains, NY**

SO ORDERED:

  
HON. NELSON S. ROMAN  
UNITED STATES DISTRICT JUDGE

*Roman Avshalumov*  
Roman Avshalumov, Esq.  
Helen F. Dalton & Associates, P.C.  
*Attorneys for Plaintiff*  
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Kew Gardens, New York 11415  
Tel.: (718) 263-9591

**TO: *via United Postal Service (UPS) Overnight Courtier:***

**JMD PRECISION TECH LLC**

225 Route 82, Suite#5, Fishkill, NY 12524

**JESUS MANUEL DONES**

225 Route 82, Suite#5, Fishkill, NY 12524

132 Ridgemont Dr. Hopewell Junction, NY 12533